

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Luis R. Duarte et al.	Art Unit :	3737
Serial No. :	09/928,594	Examiner :	Ruth S. Smith
Filed :	August 13, 2001	Conf. No. :	7902
Title :	ULTRASONIC TREATMENT FOR WOUNDS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), EXOGEN, Inc., a Delaware corporation, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the above-referenced patent application. The assignment was recorded in the Patent and Trademark Office at Reel 010104, Frame 0013 on July 20, 1999.

To the best of undersigned's knowledge and belief, title is in the assignee identified above. The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee named above.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Patent Nos. 6,273,864 and 6,685,656 provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent Nos. 6,273,864 and 6,685,656.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,273,864 and 6,685,656 in the event that any later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent Nos. 6,273,864 and 6,685,656.

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Attorney's Docket No.: 24974-0002002 / PT-2449

This disclaimer runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

Respectfully submitted,

Date: 25/6/09

C. Adcock

Printed Name: CLAIR ADCOCKS.

Title: EUROPEAN PATENT ATTORNEY.

For Assignee, Exogen, Inc.